

CHAPTER NO. 387

SENATE BILL NO. 667

By Jackson

Substituted for: House Bill No. 147

By Odom

AN ACT To amend Tennessee Code Annotated, Title 68, relative to use of treated ash aggregate in residential settings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 211, Part 1, is amended by adding the following as an appropriately designated new section:

Section 68-211-1\_\_\_\_. The department may issue permits authorizing the use of treated ash aggregate (TAA) as a building material in construction or site preparation applications in commercial and industrial settings. Treated ash aggregate (TAA) as used in this section means bottom ash or fly ash resulting from incineration of municipal solid waste as defined in Tennessee Code Annotated, Section 68-211-802(10) that has been treated to assure that it is not a hazardous waste as defined in Tennessee Code Annotated, Section 68-212-104, and rules thereunder.

SECTION 2. Tennessee Code Annotated, Section 68-211-103, is amended by deleting subdivisions (8) through (11) in their entirety and by substituting instead the following:

(8) "Solid waste" means garbage, trash, refuse, abandoned material, spent material, by-products, scrap, ash, sludge, and all discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, agricultural operations, and from community activities. Solid waste includes, without limitation, recyclable material when it is discarded or when it is used in a manner constituting disposal. Solid waste does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under § 402 of the Federal Water Pollution Control Act (compiled at 33 U.S.C. § 1342);

(9) "Solid waste disposal" means the process of permanently or indefinitely placing, confining, compacting, or covering solid waste; and

(10) "Solid waste processing" means incineration, composting, separation, grinding, shredding, and volume reduction of solid waste; provided, that it does not include the grinding or shredding of landscaping or land clearing wastes or unpainted, unstained, and untreated wood into mulch or other useful products.

SECTION 3. Tennessee Code Annotated, Section 68-120-503(c), is amended by deleting the second sentence in its entirety and by substituting instead the following:

The provisions of this subsection shall only apply in counties having a population of not less than eighty-eight thousand eight hundred (88,800) nor more than eighty-eight thousand nine hundred (88,900), or not less than eight hundred ninety-seven thousand four hundred (897,400) nor more than eight hundred ninety-seven thousand five hundred (897,500) according to the 2000 federal census or any subsequent federal census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

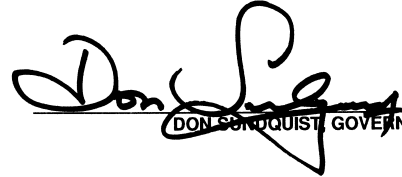
SECTION 5. This act shall take effect on July 1, 2001, the public welfare requiring it.

**PASSED: June 7, 2001**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 19<sup>th</sup> day of June 2001**

  
DON SUNDQUIST, GOVERNOR